



**CITY PLAN COMMISSION MEETING  
2<sup>ND</sup> FLOOR CITY COUNCIL CHAMBERS  
NOVEMBER 15, 2012  
1:30P.M.**

**MINUTES**

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Nance present and presiding and the following Commissioners answered roll call.

**COMMISSIONERS PRESENT:**

Commissioner De La Cruz  
Commissioner Wright (left meeting at 3:30pm)  
Commissioner Borden (left meeting at 2:50pm)  
Commissioner Brandrup  
Commissioner Nance  
Commissioner Amoriello  
Commissioner Schauer (left meeting at 4:25pm)  
Commissioner Reveles

**COMMISSIONERS ABSENT:**

Commissioner Ardovino

**AGENDA**

Commissioner Brandrup, read the rules into the record. David Coronado, City Development Program Manager, read the revisions to the agenda into the record.

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE** the agenda as amended.

**AYES:** Commissioner De La Cruz, Wright, Borden, Brandrup, Nance, Amoriello, Schauer, and Reveles

**ABSENT:** Commissioner Ardovino

Motion passed.

**I. CALL TO THE PUBLIC – PUBLIC COMMENT**

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

**No action was taken.**

**II. CONSENT AGENDA**

**There were no items under the Consent Agenda.**

III. **REGULAR AGENDA - DISCUSSION AND ACTION:**

**PUBLIC HEARING Rezoning Applications:**

1. **ZON08-00080:** Parcel 1: A portion of Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys and a portion of Ysleta - Carlsbad Cut-off Road (Zaragoza Road), El Paso County, Texas  
Parcel 2: A portion of Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys and a portion of Ysleta - Carlsbad Cut-off Road (Zaragoza Road), El Paso County, Texas  
Location: South of Pebble Hills Boulevard and West of Zaragoza Road  
Zoning: Parcel 1: R-F (Ranch and Farm)  
Parcel 2: R-F (Ranch and Farm)  
Request: Parcel 1: From R-F (Ranch and Farm) to A-2 (Apartment)  
Parcel 2: From R-F (Ranch and Farm) to C-3 (Commercial)  
Existing Use: Vacant  
Proposed Use: Apartment Complex and Commercial Development  
Property Owner: Genagra L.P.  
Representative: Roe Engineering, L.C.  
District: Adjacent to District 5  
Staff Contact: Andrew Salloum, (915) 541-4633, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **DELETE ZON08-00080.**

Motion passed.  
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2. **PZRZ12-00027:** All of Lots 1 and 15, Save and Except two Portions Thereof attached Hereto Block 3, and Lots 2 through 14, Block 3, WFF Industrial Park Unit One Replat "A", City of El Paso, El Paso County, Texas  
Location: East of Railroad Drive and South of Farah Drive  
Zoning: M-1 (Manufacturing)  
Request: From M-1 (Manufacturing) to C-4 (Commercial)  
Existing Use: Vacant  
Proposed Use: Commercial and Multi-Family Development  
Property Owner: DBB Holdings, Inc.  
Representative: Conde, Inc.  
District: 4  
Staff Contact: Michael McElroy, (915) 541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **POSTPONE PZRZ12-00027 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 29, 2012.**

Motion passed.  
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3. **PZRZ12-00028:** Lot 1: Lot 37, Block 3, Lafayette Place, City of El Paso, El Paso County, Texas  
Lot 2: Portions of Lot 38, Block 3, Lafayette Place, City of El Paso, El Paso  
Location: Lot 1: 651 Lafayette Drive  
Lot 2: 645 Lafayette Drive  
Zoning: R-3 (Residential)  
Request: From R-3 (Residential) to A-1 (Apartment)  
Existing Use: Single family homes  
Proposed Use: Apartments  
Property Owners: Luis & Ana Rodriguez/Luz Loya  
Representative: Luis A. Salcido  
District: 6  
Staff Contact: Michael McElroy, (915) 541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

Michael McElroy, Planner, gave a brief presentation and noted that staff is recommending denial of the rezoning because it is incompatible with the surrounding land use and the future land use map. He also noted that a petition with seven signatures opposing this request was handed to him for the record.

Luis Salcido, representing the owners, noted that the applicant did not obtain a building permit for three dwellings.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

- Sergio Chaidez spoke in opposition to this request.
- Ralph Barron also spoke in opposition to this request.

Tom Maguire, Chief Building Inspector, will find out what kind of permits were issued and what kind of inspections were made and provide this information to the commission.

**ACTION:** Motion made by Commissioner Brandrup, seconded by Commissioner Schauer, and unanimously carried to **DENY PZRZ12-00028**.

Motion passed.

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4.	<b>PZRZ12-00029:</b>	A Portion of Lot 32, Richland Gardens, City of El Paso, El Paso County, Texas
	Location:	400-404 Grace
	Zoning:	R-3 (Residential)
	Request:	From R-3 (Residential) to A-O (Apartment-Office)
	Existing Use:	Apartments
	Proposed Use:	Apartments
	Property Owner:	Dorine R. Brown
	Representative:	Roe Engineering, L.C.
	District:	7
	Staff Contact:	Michael McElroy, (915) 541-4238, <a href="mailto:mcelroyms@elpasotexas.gov">mcelroyms@elpasotexas.gov</a>

**1<sup>ST</sup> MOTION:**

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **HEAR ITEMS 4 AND 9 TOGETHER**.

Motion passed.

Bradley Roe with Roe Engineering noted that he represents the current owner, Dorine Brown. Ms. Brown acquired this property IN 2003 the way it is now. She added an accessory storage unit in 2008 and it was permitted and she got the certificate of occupancy. Mr. Roe has been working with staff to legalize and conform to the A-1 zoning to have the apartment units and the reduction of the side setbacks that are required. He requested that the commission concur with staff's recommendations.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

- Elvira Molina spoke in opposition to this request.
- Ralph Barron also spoke in opposition to this request.

**2<sup>ND</sup> MOTION:**

**ACTION:** Motion made by Commissioner Borden, seconded by Commissioner Nance, and carried to **DENY PZRZ12-00029 AND PZST12-00017**.

**AYES:** Commissioner De La Cruz, Borden, Brandrup, Nance, Amoriello, and Schauer

**NAYS:** Commissioner Wright, and Reveles.

**ABSENT:** Commissioner Ardovino

Motion passed.

Commissioner Borden left the meeting after discussion on this item.

**RECESS:**

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Brandrup, and unanimously carried to **RECESS THE CITY PLAN COMMISSION MEETING AT 2:50 P.M., FOR 5 MINUTES.**

Motion passed.

**RECONVENE:**

**ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **RECONVENE THE CITY PLAN COMMISSION MEETING AT 3:00 P.M.**

Motion passed.

5. **PZRZ12-00031:** A portion of the North Gate Outlet Channel R.O.W. out of Castner Heights Unit One, an Addition to the City of El Paso, El Paso County, Texas
- |                  |  |
|------------------|--|
| Location:        | South of Diana Drive and East of Gateway North Boulevard   |
| Zoning:          | R-4 (Residential)  |
| Request:         | From R-4 (Residential) to C-4 (Commercial)   |
| Existing Use:    | Drainage Channel R.O.W.  |
| Proposed Use:    | Access for proposed new Warehouse Club   |
| Property Owners: | El Paso Water Utilities - Public Service Board and City of El Paso                                       |
| Representative:  | Rudy Valdez  |
| District:        | 4  |
| Staff Contact:   | Andrew Salloum, (915) 541-4633, <a href="mailto:salloumam@elpasotexas.gov">salloumam@elpasotexas.gov</a> |

**1<sup>ST</sup> MOTION:**

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **HEAR ITEMS 14 AND 5 TOGETHER, IN THIS ORDER.**

Motion passed.

**2<sup>ND</sup> MOTION:**

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and carried to **APPROVE PSRZ12-00031 AND SURW12-00018 SUBJECT TO A 10' LANDSCAPE BUFFER ZONE BETWEEN THE REAR PROPERTY LINE ON THE EASTERN PART OF THE PROPERTY.**

**AYES:** Commissioner De La Cruz, Nance, Amoriello, Schauer, and Reveles

**NAYS:** Commissioner Brandrup

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardovino

Motion passed.

Commissioner Brandrup recused herself and left the meeting room during discussion on this item.

**PUBLIC HEARING Detailed Site Development Plan Application:**

6. **PZDS12-00010:** A portion of Tract 12 and 25, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
- |           |   |
|-----------|---|
| Location: | South of Montana Avenue and East of Rich Beem Boulevard       |
| Zoning:   | C-4/c (Commercial/condition)                                  |
| Request:  | Detailed Site Development Plan review per Ordinance No. 15428 |

Existing Use:	Vacant
Proposed Use:	Movie Theater, Retail, and Office
Property Owner:	Hueco Investments I, LTD
Applicant:	Hueco Investments I, LTD
Representative:	Conde, Inc.
District:	5
Staff Contact:	Andrew Salloum (915) 541-4633 <a href="mailto:salloumam@elpasotexas.gov">salloumam@elpasotexas.gov</a>

Andrew Salloum, Planner, noted that there is a revised staff report.

Conrad Conde with Conde, Inc., concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Schauer, and carried to **APPROVE PZDS12-00010.**

**AYES:** Commissioner De La Cruz, Nance, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, Borden, and Brandrup

**ABSENT:** Commissioner Ardovino

Motion passed.

Commissioner Brandrup returned to the meeting.

**PUBLIC HEARING Special Permit Application:**

7.	<b>PZST12-00015:</b>	Lots 9 through 14, Block 25, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas
	Location:	2413 Tremont
	Zoning:	S-D (Special Development)
	Request:	Infill development / Reduction in front and rear setback / 50% parking reduction
	Existing Use:	Vacant
	Proposed Use:	Apartments
	Property Owner:	Hector Barraza
	Representative:	Jorge Avila
	District:	2
	Staff Contact:	Michael McElroy, (915) 541-4238, <a href="mailto:mcelroyms@elpasotexas.gov">mcelroyms@elpasotexas.gov</a>

Michael McElroy, Planner, noted that there is a revised staff report on this item.

Jorge Avila concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

David Coronado, City Development Program Manager, noted that the Planning Staff is recommending approval of this request subject to three things: (1) The reduction in the setbacks, (2) the reduction in the parking, and also (3) an adjustment to the plan to reflect the increase in density to be requested at 50% over the allowable density by right. The applicant is showing the first two but not the increase in density in the plan, so he would have to make that modification to the detailed site plan as part of this motion. Mr. Coronado noted that there is a total of 12 units.

**ACTION:** Motion made by Commissioner Reveles, seconded by Commissioner Amoriello, and carried to **APPROVE PZST12-00015 SUBJECT TO:**

- **REDUCTION IN THE SETBACKS**
- **REDUCTION IN THE PARKING, AND ALSO**

- **AN ADJUSTMENT TO THE PLAN TO REFLECT THE INCREASE IN DENSITY TO BE REQUESTED AT 50% OVER THE ALLOWABLE DENSITY BY RIGHT.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardivino

Motion passed.

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8.      **PZST12-00016:**      Lot 2, Block 1, Mount Latona Manor, City of El Paso, El Paso County, Texas  
                  Location:                      8230 Mount Latona  
                  Zoning:                              R-4 (Residential)  
                  Request:                            Assisted living facility (5+) persons  
                  Existing Use:                        Assisted living facility – home occupation (4 or less persons)  
                  Proposed Use:                      Assisted living facility  
                  Property Owner:                    Bingham Investments Inc.  
                  Representative:                    Ray Mancera  
                  District:                              2  
                  Staff Contact:                      Michael McElroy, (915) 541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

Ray Mancera, representing the owners, concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and carried to **APPROVE PZST12-00016.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardivino

Motion passed.

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9.      **PZST12-00017:**      A Portion of Lot 32, Richland Gardens, City of El Paso, El Paso County, Texas  
                  Location:                      400-404 Grace  
                  Zoning:                              R-3 (Residential)  
                  Request:                            Reduction in lot depth, side setback, and rear setback / 50% parking reduction  
                  Existing Use:                        Apartments  
                  Proposed Use:                      Apartments  
                  Property Owner:                    Dorine R. Brown  
                  Representative:                    Roe Engineering, L.C.  
                  District:                              7  
                  Staff Contact:                      Michael McElroy, (915) 541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

**1<sup>ST</sup> MOTION:**

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **HEAR ITEMS 4 AND 9 TOGETHER.**

Motion passed.

**2<sup>ND</sup> MOTION:**

**ACTION:** Motion made by Commissioner Borden, seconded by Commissioner Nance, and carried to **DENY PZRZ12-00029 AND PZRZ12-00029.**

**AYES:** Commissioner De La Cruz, Borden, Brandrup, Nance, Amoriello, and Schauer

**NAYS:** Commissioner Wright, and Reveles.

**ABSENT:** Commissioner Ardivino

Motion passed.

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10.     **PZST12-00019:**           A Portion of Tract 9, 8A, and 11, Block 11, Upper Valley Surveys, City of El Paso, El Paso County, Texas
- Location:               6297 Strahan
- Zoning:                R-F (Ranch-Farm)
- Request:               To allow for a medical treatment facility, to include lifestyle medicine
- Existing Use:           Agricultural
- Proposed Use:          Medical treatment facility
- Property Owner:       Gallego Dream Continues, LLC
- Representative:       Conde, Inc.
- District:               1
- Staff Contact:         Michael McElroy, (915) 541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

Conrad Conde with Conde, Inc., concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

Mr. Strathmann expressed concern regarding traffic congestion and spoke against this request.

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Schauer, and carried to **APPROVE PZST12-00019.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardivino

Motion passed.

Commissioner Schauer left the meeting after discussion on this item.

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**RECESS:**

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Brandrup, and unanimously carried to **RECESS THE CITY PLAN COMMISSION MEETING AT 4:25 P.M., FOR 5 MINUTES.**

Motion passed.

**RECONVENE:**

**ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Amoriello, and unanimously carried to **RECONVENE THE CITY PLAN COMMISSION MEETING AT 4:30 P.M.**

Motion passed.

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**Subdivision Applications:**

**SUBDIVISION MAP APPROVAL:**

**NOTICE TO THE PUBLIC AND APPLICANTS:**

The staff report for an agenda item may include conditions, exceptions, or modifications. The Commission's motion to approve an item in accordance with the staff report or with all staff comments means that any modifications, waivers, exceptions requested by the applicant and recommended for approval by staff and any staff recommended conditions, have been approved, without necessitating that the Commission restate the modifications, exceptions, waivers, or conditions as part of the motion to approve and that any findings

required to be made by the Commission, have been made. If the Commission does not wish to approve an exception or modification, or require a condition, then the Commission's motion will state which have not been approved, otherwise, the staff report, with all modifications, exceptions and conditions, is approved and the applicant shall comply with all provisions of the staff report.

**PUBLIC HEARING Resubdivision Combination:**

11.     **SUSC12-00001:**           Montecillo Unit Three Replat "B" – A Replat of Portion of Blocks 1, 2, and 9, and All of Blocks 3, 4, 5, 6, and 8, and All of Montecillo BLVD., Castellano Dr., Festival Dr., Monte Alegre Way, Monte Cassino Dr., Monte Cielo Way, Monte Flor Dr., Monte Seco Ln., Monte Sol Dr., Monte Tierra Ct., Monte Valle Ct., City of El Paso, El Paso County, Texas
- Location:               West of Mesa Street and northeast of I-10
- Property Owner:       EPT The Venue at Montecillo Apartments, LLC
- Representative:       Conde, Inc.
- District:               8
- Staff Contact:         Nathaniel Baker, (915) 541-4192, [bakernt@elpasotexas.gov](mailto:bakernt@elpasotexas.gov)

Conrad Conde with Conde, Inc., concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

**ACTION:** Motion made by Commissioner Brandrup, seconded by Commissioner Reveles, and carried to **APPROVE SUSC12-00001.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, Borden, and Schauer

**ABSENT:** Commissioner Ardivino

Motion passed.

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12.     **SUSU12-00101:**           Sunset Terrace Unit Four - A portion of Tract 3A, Nellie D. Mundy Survey 240, A portion of Tract 1A, Nellie D. Mundy Survey 241, A portion of Tract 1B, Nellie D. Mundy Survey 241, and a replat of Lot 2, Block 1, Artcraft Commercial Unit Three, City of El Paso, El Paso County, Texas
- Location:               West of I-10 and North of Borderland Road
- Property Owner:       Tropicana Development
- Representative:       CEA Group
- District:               1
- Staff Contact:         George Pinal, (915) 541-4152, [pinalg@elpasotexas.gov](mailto:pinalg@elpasotexas.gov)

George Pinal, Planner, noted that there was a revised staff report on this item.

Jorge Azcarate with CEA Group concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

**ACTION:** Motion made by Commissioner Amoriello, seconded by Commissioner Reveles, and carried to **APPROVE SUSU12-00101.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, Borden, and Schauer

**ABSENT:** Commissioner Ardivino

Motion passed.

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13.     **SUSU12-00103:**           Los Paseos Addition Replat B – A replat of a portion of River Bend Dr., Los Paseos Addition Replat "A", City of El Paso, El Paso County, Texas
- Location:               South of Doniphan and West of Sunland Park
- Property Owner:       City of El Paso

Representative: Conde, Inc.  
District: 8  
Staff Contact: Nelson Ortiz, (915) 541-4931, [ortiznx@elpasotexas.gov](mailto:ortiznx@elpasotexas.gov)

**1<sup>ST</sup> MOTION:**

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and carried to **HEAR ITEM 13 AFTER ITEMS 5 AND 14.**

**AYES:** Commissioner De La Cruz, Nance, Brandrup, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardovino

Motion passed.

Conrad Conde with Conde, Inc., concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

- Gene Karoyn spoke in favor of this request and noted that the entire neighborhood is in agreement of this request.
- Susan Martinez also spoke in favor of this request.

**ACTION:** Motion made by Commissioner Brandrup, seconded by Commissioner De La Cruz, and carried to **APPROVE SUSU12-00103.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardovino

Motion passed.

**PUBLIC HEARING Right-of-Way Vacation:**

14. **SURW12-00018:** Diana Drainage ROW Vacation – A portion of the North Gate Outlet Channel R.O.W. out of Castner Heights Unit One, City of El Paso, El Paso County, Texas  
Location: East of Patriot Freeway and south of Diana Drive  
Property Owner: City of El Paso  
Representative: Public Service Board (PSB)  
District: 4  
Staff Contact: Nathaniel Baker, (915) 541-4192, [bakernt@elpasotexas.gov](mailto:bakernt@elpasotexas.gov)

**1<sup>ST</sup> MOTION:**

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and carried to **HEAR ITEMS 14 AND 5 TOGETHER, IN THIS ORDER.**

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, Schauer, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, and Borden

**ABSENT:** Commissioner Ardovino

Motion passed.

David Coronado noted that the Castner Heights Neighborhood Association is requesting that this item be postponed for two (2) weeks. Ms. Donna Franco, board member with Castner Heights Neighborhood Association, read a letter of opposition stating why the Castner Heights Neighborhood Association is requesting the postponement.

Rudy Valdez representing the El Paso Water Utilities on items 5 and 14 requested that this item not be postponed because a gentleman representing Sam's flew in from Ft. Worth to attend the meeting and address the Commission. They were notified of the postponement just one day before the meeting.

Mr. Valdez gave a brief power point presentation and noted that there will not be any disturbance or grading within 30 feet that's abutting the residential area. If the rezoning to C-4 is approved, there is a requirement to build a rock wall between the residential and the C-4 zoning.

Chris Biggers, Civil Engineer representing Sam's, answered questions from the commission.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

- Donna Franco, speaking as a resident, spoke against the location of the business and noted that her property would depreciate in value.
- Jerry Haley also spoke against the location of this business and expressed traffic concerns.
- Richard Teschner speaking as a water and land conservationist asked how tall the retaining wall would be and what effect it would have in slowing down the velocity of the water coming down and heading towards the homes.
- Rick Amstater with RJL Real Estate noted that the property is already zoned C-4. There is the option of building a landscape buffer because those 45' are only going to be used for parking and driveway and is not going to be used for any portion of the building.

Commissioner Wright left the meeting during discussion of this item.

**2<sup>ND</sup> MOTION:**

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and carried to **APPROVE PSRZ12-00031 AND SURW12-00018 SUBJECT TO A 10' LANDSCAPE BUFFER ZONE BETWEEN THE REAR PROPERTY LINE ON THE EASTERN PART OF THE PROPERTY.**

**AYES:** Commissioner De La Cruz, Nance, Amoriello, Schauer, and Revenes

**NAYS:** Commissioner Brandrup

**NOT PRESENT FOR THE VOTE:** Commissioner Borden and Wright

**ABSENT:** Commissioner Ardivino

Motion passed.

**Other Business:**

15. Discussion and action on the City Plan minutes for:

- a. October 18, 2012
- b. November 1, 2012

**1<sup>ST</sup> MOTION:**

**ACTION:** Motion made by Commissioner Reveles, seconded by Commissioner Amoriello, and carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR OCTOBER 18, 2012.**

**AYES:** Commissioner Nance, Amoriello, and Reveles

**ABSTAIN:** Commissioner De La Cruz, and Brandrup

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, Borden, and Schauer

**ABSENT:** Commissioner Ardivino

Motion passed.

**2<sup>ND</sup> MOTION:**

**ACTION:** Motion made by Commissioner Reveles, seconded by Commissioner Amoriello, and carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR NOVEMBER 1, 2012.**

**AYES:** Commissioner De La Cruz, Nance, Amoriello, and Reveles

**ABSTAIN:** Commissioner Brandrup

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, Borden, and Schauer

**ABSENT:** Commissioner Ardivino

Motion passed.

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16. Discussion and action on an ordinance annexing the following real property described as All of Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, and a portion of Ysleta – Carlsbad Cut-off Road (Zaragoza Road), El Paso County, Texas. Property Owner: Genagra, LP. **AN08009 (SUB08-00129)**  
Staff Contact: Nelson Ortiz, (915) 541-4931, [ortiznx@elpasotexas.gov](mailto:ortiznx@elpasotexas.gov)

**\*ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **POSTPONE AN ORDINANCE ANNEXING THE FOLLOWING REAL PROPERTY DESCRIBED AS ALL OF TRACT 2C, SECTION 46, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, AND A PORTION OF YSLETA – CARLSBAD CUT-OFF ROAD (ZARAGOZA ROAD), EL PASO COUNTY, TEXAS FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF NOVEMBER 29, 2012.**

Motion passed.

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17. Discussion and action on a Resolution authorizing the City Manager to sign on behalf of the City, a dedication agreement between Ranchos Real Land Holdings, LLC and the City of El Paso for the dedication of a parcel of land containing 8.67 acres, more or less, being a portion of Section 38, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas for an off-site dedication of a city park. Further, that the City Manager be authorized to sign and accept on behalf of the City, a dedication deed conveying to the City a parcel of land containing 8.67 acres, more or less, being a portion of Section 38, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas.  
Staff Contact: Raul Garcia, (915) 541-4935, [garciar1@elpasotexas.gov](mailto:garciar1@elpasotexas.gov)

Raul Garcia, Senior Planner, gave a brief power point presentation on both items 17 and 18 and noted that these two items are dedications to the city for parks. He noted that the dedication begins at Rich Beem and runs east and west just north of Pebble Hills and from Rich Beam east traverses to Foster and John Hanes. Item 18 begins at John Hanes and runs east and will traverse to the future arterial to the east. The dedications are located within the City of El Paso. For item 17 the dedication will be accepted as is with no improvements and the applicant will not be receiving any credits for this dedication. One stipulation in this land study is that the parks will not change in size or location as a result of this dedication. He noted that the property on item 17 is located within an El Paso Natural Gas easement. In the deed that transfers the property to the current owner there is language where the El Paso Natural Gas Co., is saying that they are okay with the future improvement

Commissioner Brandrup encourages the City to revisit the issue of the sod grass. She feels it needs to be revisited from the sustainable and walkable point of view.

Conrad Conde noted that this is their first attempt to try to get unusable land into usable land and easement space into active space.

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Reveles, and carried to **APPROVE A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY, A DEDICATION AGREEMENT BETWEEN RANCHOS REAL LAND HOLDINGS, LLC AND THE CITY OF EL PASO FOR THE DEDICATION OF A PARCEL OF LAND CONTAINING 8.67 ACRES, MORE OR LESS, BEING A PORTION OF SECTION 38, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FOR AN OFF-SITE DEDICATION OF A CITY PARK. FURTHER, THAT THE CITY MANAGER BE AUTHORIZED TO SIGN AND ACCEPT ON BEHALF OF THE CITY, A DEDICATION DEED CONVEYING TO THE CITY A PARCEL OF LAND CONTAINING 8.67 ACRES, MORE OR LESS, BEING A PORTION OF SECTION 38, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

18. Discussion and action on a Resolution authorizing the City Manager to sign a Development Agreement between Ranchos Real Land Holdings, LLC and the City of El Paso pursuant to Texas Local Government Code Section 212.071, and Chapter 19.20 of the City Code for the construction of certain parkland improvements to property described as a parcel of land containing 9.84 acres,

more or less, being a portion of Section 37, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas.

Staff Contact: Raul Garcia, (915) 541-4935, [garcia1@elpasotexas.gov](mailto:garcia1@elpasotexas.gov)

**ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Reveles, and carried to APPROVE A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A DEVELOPMENT AGREEMENT BETWEEN RANCHOS REAL LAND HOLDINGS, LLC AND THE CITY OF EL PASO PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 212.071, AND CHAPTER 19.20 OF THE CITY CODE FOR THE CONSTRUCTION OF CERTAIN PARKLAND IMPROVEMENTS TO PROPERTY DESCRIBED AS A PARCEL OF LAND CONTAINING 9.84 ACRES, MORE OR LESS, BEING A PORTION OF SECTION 37, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

Motion passed.

19. Planning Report:  
N/A

Carlos Gallinar, Deputy Director for City Development – Planning Division noted that the next CPC meeting is scheduled for November 29, 2012. The next scheduled dates before the end of the year are scheduled for December 6, 2012, and December 20, 2012.

Commissioner Nance suggested to change the CPC meeting of December 20<sup>th</sup> to December 13<sup>th</sup> because some of the Commissioners may be out of town during the week of the 20<sup>th</sup>.

**ACTION:** Motion made by Commissioner Nance, seconded by Commissioner Reveles, and carried to MOVE THE CITY PLAN COMMISSION MEETING OF DECEMBER 20, 2012, TO DECEMBER 13, 2012.

**AYES:** Commissioner De La Cruz, Brandrup, Nance, Amoriello, and Reveles

**NOT PRESENT FOR THE VOTE:** Commissioner Wright, Borden, and Schauer

**ABSENT:** Commissioner Ardovino

Motion passed.

20. Legal Report:  
N/A

#### ADJOURNMENT:

Motion made by Commissioner De La Cruz, seconded by Commissioner Amoriello, and unanimously carried to adjourn this meeting at 5:00 p.m.

Approved as to form:

  
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Carlos Gallinar, Executive Secretary, City Plan Commission